

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

MAR 27 2008

MOLLY DWYER, ACTING CLERK
U.S. COURT OF APPEALS

JOSE ANTONIO LEON MUNOZ,

Petitioner

v.

MICHAEL B. MUKASEY, Attorney
General,

Respondent

No. 06-74174

Agency No. A79-592-931

MEMORANDUM *

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted March 18, 2008**

Before: CANBY, T.G. NELSON, and BEA, Circuit Judges.

Jose Antonio Leon Munoz petitions for review of the decision of the Board
of Immigration Appeals, dismissing his appeal from the immigration judge's denial

* This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without
oral argument. See Fed. R. App. P. 34(a)(2).

of petitioner's application for cancellation of removal.

We lack jurisdiction to consider petitioner's challenge to the IJ's extreme hardship determination because it is a nonreviewable discretionary determination. *See Romero-Torres v. Ashcroft*, 327 F.3d 887, 890 (9th Cir. 2003) (citing 8 U.S.C. § 1252(a)(2)(B)). Petitioner's contentions that the agency violated his due process and equal protection rights by failing to consider properly the proffered evidence do not amount to colorable constitutional claims. *See Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005).

PETITION FOR REVIEW DISMISSED.